

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Dec 12, 2022**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

REYES HERNANDEZ,

Plaintiff,

v.

CAVALRY PORTFOLIO SERVICES,  
LLC.,

Defendant.

No. 1:22-cv-03173-MKD

ORDER DISMISSING CASE

Plaintiff may voluntarily dismiss this action under Fed. R. Civ. P. 41(a)(1)(A)(ii), because Defendant has not yet filed an answer or a motion for summary judgment. Generally, the dismissal is without prejudice.” Fed. R. Civ. P. 41(a)(1)(B). Here, however, Plaintiff’s notice seeks dismissal with prejudice. *See* ECF No. 4.

Accordingly, **IT IS HEREBY ORDERED:**

1. This action shall be **DISMISSED with prejudice.**
2. Any pending motions are **DENIED as moot.**
3. All hearings and other deadlines are **STRICKEN.**

1       **IT IS SO ORDERED.** The District Court Executive is directed to file this  
2 Order, provide copies to counsel, and **CLOSE THE FILE.**

3               DATED December 12, 2022.

4                               s/Mary K. Dimke  
5                               MARY K. DIMKE  
6                               UNITED STATES DISTRICT JUDGE  
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